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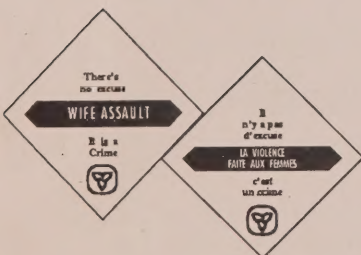
FACTS TO CONSIDER

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Wife assault is a crime. Harming or threatening to harm a wife or girlfriend is just as illegal as harming or threatening to harm a stranger.

- Wife assault can take many forms. Among the criminal charges that may apply are: assault; aggravated assault; assault causing bodily harm; sexual assault; aggravated sexual assault; sexual assault causing bodily harm; sexual assault with a weapon; forcible confinement; hostage taking; abduction in contravention of a custody order; abduction where there is no custody order; uttering threats; intimidation; and attempted murder.
- The majority of assaulted women who have gone to court report a reduction or termination of violence after court.¹
- When the police rather than the victim lay charges or arrest husbands, the probability of new incidents of violence is reduced in half.²
- Wife assault victims are twice as likely to follow through with the charge when the police lay it, as opposed to when the victims lay charges themselves.³
- Prior to a policy directive in London, Ontario that police lay charges in all domestic assault cases where reasonable and probable grounds existed:
 - * Only 3% of cases resulted in police charges even though 20% of the victims were advised to get medical attention;
 - * Victims laid their own charges more than 5 times as often as police officers. After the directive (1981), the number of police-laid charges increased 25 times;⁴
- In 1987, police in Ontario laid criminal charges in 46.6% of occurrences reported to police. This represented a 6% increase from 1986.⁵
- In 1982, the Canadian Urban Victimization Study found that more than one-half (55%) of wife assault incidents were not recorded.⁶ When asked why they didn't report assaults to police, women said:
 - * it's a personal matter: 59%
 - * police couldn't do anything: 58%
 - * fear of revenge by offender: 52%
 - * to protect the offender: 35%
- 61.7% of all women murdered in Canada in 1987 died as a result of domestic violence.⁷



ISSUES TO CONSIDER

- Assaulted women often feel unable to report their assaults to police and go through the criminal justice system. There are many reasons for this, including:
 - * fear of retaliation or revenge by the offender, often as a result of threats;
 - * lack of information regarding legal rights and systems;
 - * fear that they won't be believed and/or will be blamed for the abuse;
 - * slow, ineffective and/or insensitive response by police, the courts and probation and parole officers;
 - * for immigrant women, fear that they or their partners will be deported;
 - * many refugee and immigrant women fear the police because in their countries of origin the police are a repressive force.
- The criminal justice system only responds to physical and sexual assault. It is important to recognize that emotional and psychological abuse can be just as harmful.
- Even in cases where criminal charges have been made, many assaultive husbands continue to try to control, harass and intimidate their wives through the manipulation of child custody, access and support.
- In addition to Criminal Court, assaulted women may also have to go to: Family Court (to deal with restraining orders, separation, divorce, custody, visiting rights, maintenance, and property division); immigration tribunals; Social Assistance Review Board hearings and; Criminal Injuries Compensation Board hearings.

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3. Peter Jaffe and C. Burris, *Wife Abuse as a Crime: The Impact of Police Laying Charges*, *Canadian Journal of Criminology* 25, no. 3 (1983).
4. Peter Jaffe et al., *The Impact of Police Charges in Incidents of Wife Abuse*, *Journal of Family Violence* 1, no. 1 (1980), 38.
5. Ministry of the Solicitor General, *Law Enforcement Activity in Relation to Spousal Assault in Ontario for the years 1986 & 1987* (Toronto, 1988), 14.
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